

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
AT NASHVILLE

JAMES RAY DAUGHERTY, STEVE )  
DANIEL ALLEN, WILLIAM ORMAN )  
KNOX, J.C. HOLLINGSWORTH, )  
DARYLE RYCARDO DOWELL, SR., )  
RICKY WILFORD BALTHROP, )  
SHELIAH RHONDA HUNTER, )  
WILLIAM ROBERT MAUPIN, )  
STEVEN EDWARD COUNTER, )  
ROBERT S. HEATHCOCK, )  
KERRY B. STAMPER, DONNA FAY )  
REKART AND JOHNNY LEE BUTLER, )

Plaintiffs )

v. )

INTERNATIONAL UNION, UNITED )  
AUTOMOBILE, AEROSPACE AND )  
AGRICULTURAL IMPLEMENT WORKERS )  
OF AMERICA, ("UAW") AND UNITED )  
AUTO WORKERS LOCAL UNION 737 )  
("UAW LOCAL 737"), )

Defendants )

No. 3:08-0695  
Judge Nixon/Brown  
**Jury Demand**

**O R D E R**

Presently pending is the Plaintiffs' motion for reconsideration (Docket Entry 44) of the Magistrate Judge's order denying the Plaintiffs' request to reopen discovery. One of the reasons the Magistrate Judge denied the Plaintiffs' request was that the motion to take discovery in order to respond to summary judgment was not accompanied by an affidavit required by Rule 56(f).

The Plaintiffs' motion to reconsider is **GRANTED** and the Magistrate Judge will reconsider the matter in view of the new

pleading.

The Defendants in the matter have requested permission to file a brief on the issue of whether discovery should be reopened (Docket Entry 46). That motion is **GRANTED** and the Defendants may have until **June 14, 2010**, to file a response to the Plaintiffs' motion to take discovery.

In view of these proceedings the Plaintiffs' deadline for responding to the pending motion for summary judgment (Docket Entry 39) is **canceled**. The Magistrate Judge will issue new deadlines for further proceedings following consideration of the Defendants' response and the Plaintiffs' motion for reconsideration.

It is so **ORDERED**.

/S/ Joe B. Brown

JOE B. BROWN  
United States Magistrate Judge